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Attorney for Defendant  
DARNEY RAY WHITE

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	NO. 1:03-cr-5308 AWI
	)	
Plaintiff,	)	STIPULATION SETTING MOTIONS
	)	SCHEDULE; ORDER
v.	)	
	)	
DARNEY RAY WHITE,	)	
	)	Date: April 5, 2010
Defendant.	)	Time: 9:00 a.m.
	)	Judge: Hon. Anthony W. Ishii

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IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, that the date for the contested hearing which is currently set for March 1, 2010, be vacated and that a motions schedule be set as follows: defendant's motions in the above-captioned matter to be due on or before March 8, 2010, government's response motions to be due on or before March 22, 2010, and the hearing on these motions be set for **April 5, 2010 at 9:00 a.m.**

The parties also agree that the delay resulting from the continuance shall be excluded in the interests of justice, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(ii), (iv). The reason for the setting of this motions schedule is to permit written objection to the policies and procedures set forth in the AO/Probation contract prohibiting defense retesting at a forensic lab, further defense investigation and discovery review, and counsel is unavailable on March 1, 2010 due to a personal traffic matter in San Mateo County.

BENJAMIN B. WAGNER  
United States Attorney

Dated: February 17, 2010

By: /s/ Dawrence W. Rice, Jr.  
DAWRENCE W. RICE, JR.  
Assistant U.S. Attorney  
Attorney for Plaintiff

DANIEL J. BRODERICK  
Federal Public Defender

Dated: February 17, 2010

By: /s/ Ann H. Voris  
ANN H. VORIS  
Assistant Federal Defender  
Attorney for Defendant  
Darney Ray White

**ORDER**

**IT IS SO ORDERED.** Time is excluded in the interests of justice pursuant to 18 U.S.C.  
§ 3161(h)(7)(A) and (B)(ii), (iv).

IT IS SO ORDERED.

**Dated: February 18, 2010**

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE